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V.O

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/800,574	02/18/97	RIFFEE	R CSD-55-H6376

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LM01/0622

EXAMINER

LEE, R

ART UNIT PAPER NUMBER

2713

DATE MAILED: 06/22/98

4

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/800,574**

Applicant(s)

Riffie

Examiner

Richard Lee

Group Art Unit

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☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-28 is/are rejected.

☒ Claim(s) 29 and 30 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. It is noted that the IDS (PTO-1449 form) filed April 7, 1997 citing several documents have not been considered since these references have not been supplied to the Office. Due to the non-conformance, a line has been drawn through the cited references in the IDS (see attached copy). Please provide copies of these references if the applicant wishes the Examiner to consider them.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

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Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
5. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
6. The drawings are objected to because all diagrammatic blocks are required to be labeled to indicate contents or function (37 C.F.R. 1.83(a), 1.84(o)). Therefore, diagrammatic blocks 30, 40 of Figure 1; blocks 14, 16, 120, 1200 of Figure 2; and block 120 of Figure 3C are required to be labeled. Correction is required.
7. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.
8. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

At claim 4, lines 2-3, "the decompressed video image" shows no clear antecedent basis.

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-6, and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuzma of record (5,389,965) in view of Paneth et al of record (5,119,375).

Kuzma discloses a video telephone station having variable image clarity as shown in Figures 1 and 5, and substantially the same narrowband video codec as claimed in claims 1-18 for generating an output stream of control, data, and error correction bits comprising substantially the same means for framing the output control and data bits into a series of sequential frames of bytes wherein each frame comprises an identical sequence of bytes, each frame comprising, in sequence two control bytes, a plurality of sequential sets of data bytes, each set of data bytes comprising a sequence of at least one audio byte and a plurality of video bytes, each set of data bytes having its audio and video bytes in the same order as each other set of data bytes, and a plurality of error correction bytes (see columns 5-7); each set of data bytes has the same number of video bytes between sequential audio bytes, the control bytes include data bit signals representative of the number of bytes in the frame (see columns 5-7); means for periodically refreshing the decompressed video image (see Figure 2); and means for controlling the level of error correction without re-transmitting corrupted data (see columns 5-7).

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Kuzma does not particularly disclose, though, the followings:

(a) the transmission of the series of sequential frames of bytes over an rf frequency, and wherein the frames are synchronized to the data rate of the rf link as claimed in claims 1 and 6; and

(b) each frame comprises 200 bytes, 180 data bytes and 18 error correction bytes; each frame comprises 150 video bytes and 30 audio bytes; wherein each sequential audio bytes are separated from each other by five, eleven, or two video bytes; wherein each frame comprises 165 video bytes and 15 audio bytes; wherein each frame comprises 40 bytes, 18 data bytes, and 20 error correction bytes; wherein each frame comprises 12 video bytes and 6 audio bytes; wherein each frame comprises 15 video bytes and 3 audio bytes as claimed in claims 9-18.

Regarding (a), Paneth et al discloses a subscriber RF telephone system as shown in Figure 2, and teaches the conventional RF transmission of video data to/from stations (see column 1). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma and Paneth et al references in front of him/her and the general knowledge of RF transmission, would have had no difficulty in providing the RF transmission of video data as taught by Paneth et al for the video telephone system of Kuzma for the same well known transmission purposes as claimed.

Regarding (b), it is noted that even without specific disclosure by Kuzma concerning the number of bytes for each frame, data, and error correction, and the separation of sequential audio bytes, it is considered obvious that such values for the number of bytes and the separation of sequential audio bytes by a certain number of video bytes as claimed may obviously be provided

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by one of ordinary skill in the art. Without specific criticality of such byte values and the number of video bytes to be provided to separate the audio bytes, such limitations are being considered met or provided by one skilled in the art in the particular processing of the audio and video bytes within the packet transmission of the video telephone of Kuzma. Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma and Paneth et al references in front of him/her and the general knowledge of the allocation of audio and video bytes, would have had no difficulty in providing any desired number of video and audio bytes with any number of video bytes to separate the audio bytes in the processing of data for the video telephone system of Kuzma for the same well known purposes as claimed.

11. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuzma and Paneth et al as applied to claims 1-6, and 9-18 in the above paragraph (10), and further in view of Schillaci et al of record (5,583,912).

The combination of Kuzma and Paneth et al shows substantially the same narrowband video codec as above, but does not particularly disclose a battery power supply with power supply voltage between 18 and 36 volts as claimed in claims 7 and 8. However, Schillaci et al discloses a wireless wireline communication selection mechanism resident in craftsperson's portable test and communications device as shown in Figures 1 and 2, and teaches the conventional use of a battery power supply for the communications system (see column 2 and Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Paneth et al, and Schillaci et al references in front of him/her, would have had no

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difficulty in providing the battery power supply as taught by Schillaci et al with any desired power supply voltage including between the 18-36 volts as claimed for the video telephone system of Kuzma for the same well known purposes as claimed.

12. Claims 19, 20, and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuzma and Paneth et al as applied to claims 1-6, and 9-18 in the above paragraph (10), and further in view of Peters of record (5,577,190).

The combination of Kuzma and Paneth et al disclose substantially the same narrowband video codec for transmitting and receiving compressed video and audio data signals as above, further including a first digital signal processor for converting analog video signals into digital video signals and for compressing the video signals into video bytes (see columns 5-7 of Kuzma); a second digital signal processor for decompressing received digital video bytes into digital video signals and for converting the decompressed digital video signals into analog video signals (see columns 5-7 of Kuzma); a third digital signal processor for converting analog audio signals into digital audio signals, for compressing the audio digital signals into audio bytes, for decompressing received audio bytes into audio digital signals, and for converting the decompressed digital audio signals into analog audio signals (see columns 5-7 of Kuzma); means for periodically refreshing the transmitted video signals in thirty seconds (see Figure 2 of Kuzma); means for running multiple compression and decompression algorithms on all three digital signal processors (see columns 5-7 of Kuzma); means for randomizing data in order to maximize the efficiency of data transmission and means for de-randomizing data without introducing additional bit errors (see



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column 6, lines 9-37 of Kuzma); means for selecting one of a plurality of video resolution and clarity modes wherein the video resolution modes include a low and high resolution mode and the video clarity modes include a low, intermediate, and high clarity mode (see column 6 of Kuzma) as claimed in claims 19, 20, and 23-28.

The combination of Kuzma and Paneth et al do not particularly disclose, though, the followings a solid state memory and means for emulating a disk access system of a computer using solid state memory components to store filed sequences with compression/decompression algorithm data as claimed in claim 19. However, Peters discloses a media editing system with adjustable source material compression as shown in Figure 1 and 9, and teaches the conventional use of a solid state memory and means for emulating a disk access system of a computer using solid state memory components to store filed sequences with compression/decompression algorithm data (see Figures 8 and 9, and columns 14-15). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Paneth, and Peters references in front of him/her and the general knowledge of memory storage means within video encoders/decoders, would have had no difficulty in providing the solid state memory and disk access system as shown in Peters for the video telephone system of Kuzma for the same well known storage purposes as claimed.

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13. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuzma, Paneth et al, and Peters as applied to claims 1-6, 9-20, and 23-28 in the above paragraphs (10) and (12), and further in view of Schillaci et al of record (5,583,912).

The combination of Kuzma, Paneth et al, and Peters disclose substantially the same narrowband video codec for transmitting and receiving compressed video and audio data signals as above, but does not particularly disclose a battery power supply with power supply voltage between 18 and 36 volts as claimed in claims 21 and 22. However, Schillaci et al discloses a wireless wireline communication selection mechanism resident in craftsperson's portable test and communications device as shown in Figures 1 and 2, and teaches the conventional use of a battery power supply for the communications system (see column 2 and Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Paneth et al, Peters, and Schillaci et al references in front of him/her, would have had no difficulty in providing the battery power supply as taught by Schillaci et al with any desired power supply voltage including between the 18-36 volts as claimed for the video telephone system of Kuzma for the same well known purposes as claimed.

14. Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inoue et al discloses a digital signal recording and/or reproducing apparatus using a common processing device for digital signals having different data configurations.

Birch et al discloses a system and method for transmitting a plurality of digital services including imaging services.

Dagdeviren et al discloses an ISDN based system for making a video call.

16. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

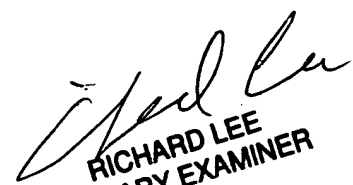
(703) 308-5399 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington. VA., Sixth Floor (Receptionist).

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
RICHARD LEE  
PRIMARY EXAMINER

Richard Lee/rl

6/15/98

